Thomas Schneck
David M. Schneck
Gina McCarthy
Nissa M. Strottman
Wayne Hossenlopp

Law Offices of SCHNECK & SCHNECK

P.O. BOX 2-E SAN JOSE, CALIFORNIA 95109-0005 Telephone: (408) 297-9733

Facsimile: (408) 297-9748

80 S. Market Street Third Floor San Jose, California 95113-2303

Email: webmail@patentvalley.com

Patents and Trademarks

July 9, 2004

Mail Stop Issue Fee Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Re: Issue Fee Transmittal

U.S. Patent Application Serial No.: 09/529,482

Filed in U.S.: April 12, 2000 IA Filing Date: October 12, 1998

For: ANKLE-FOOT ORTHOSIS Inventor: Robert J. Watts

Our ref: DYC-011

Dear Sir or Madam:

After receiving a first Notice of Allowance and Fee(s) Due dated 01/28/2004 for the above-identified patent application, we filed a Request for Continued Examination on April 23, 2004 with an Information Disclosure Statement.

In response to the Request for Continued Examination, a new Notice of Allowability dated 05/04/2004 was received from the Patent and Trademark Office. However, to this date, we have not received a new Notice of Allowance and Fee(s) Due, despite numerous e-mails between the Examiner and our office.

In the past, we usually received a paper entitled "Notice of Allowance and Fee(s) Due" together with the paper entitled "Notice of Allowability". The Notice of Allowance and Fee(s) Due normally consists of three pages: the first page indicates the fees and due date; the second page is the Fee Transmittal Form itself; and the third page is the determination of patent term adjustment.

Page Two

Since the old Notice of Allowability and the new Notice of Allowability are practically the same, we assume that the old Notice of Allowance and Fee(s) Due would also be the same as the new Notice of Allowance and Fee(s) Due [after the filing of a RCE]. Hence, because we have not received a new Notice of Allowance and Fee(s) Due, we would like to notify the PTO that we are using the Fee Transmittal Form from the old Notice of Allowance and crossing out the old dates on the form. Please note that this application has small entity status.

We also assume that the due date for payment of the issue fee and publication fee is three months from the mailing date of the new Notice of Allowability, hence until <u>August 4</u>, <u>2004</u>.

Accordingly, enclosed are the Fee Transmittal Form for the above-identified patent application, a check in the amount of \$995, and a return post card.

Respectfully submitted,

Abluert

CERTIFICATE OF MAILING

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Mail Stop Issue Fee, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Signed: Merle P. Harcia
Typed Name: Merle P. Garcia

Date: July 9, 2004

Thomas Schneck

Reg. No. 24,518

Schneck & Schneck

P.O. Box 2-E

San Jose, CA 95109-0005

(408) 297-9733

TS:mpg

Encl: Fee Transmittal Form

Check

Return post card

cc: Mark Milhench, Esq. w/ Fee Transmittal Form